

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
PITTSBURGH

BALDWIN TOWER,	)	
	)	
Plaintiff,	)	2:19-CV-00134-NBF-CRE
	)	
vs.	)	
	)	
WILLIAM JAMES ACKERMAN,	)	
	)	
Defendant,	)	

**MEMORANDUM ORDER**

Nora Barry Fischer, United States District Judge.

AND NOW, this 21<sup>st</sup> day of March, 2019,

After the magistrate judge having submitted a report and recommendation (ECF No. 5) recommending that this action be remanded pursuant to Federal Rule of Civil Procedure 12(b)(1) for lack of subject-matter jurisdiction, and the report and recommendation having been served on the defendant and defendant having lodged no objections,<sup>1</sup>

Accordingly, after a *de novo* review of the pleadings and documents in this case, together with the report and recommendation, the following order is entered:

IT IS HEREBY ORDERED that Plaintiff's motion to proceed *in forma pauperis* is GRANTED.

IT IS FURTHER ORDERED that this action is remanded pursuant to Federal Rule of Civil Procedure 12(b)(1) for lack of subject-matter jurisdiction and this case shall be marked CLOSED.

IT IS FURTHER ORDERED that the report and recommendation of Chief Magistrate

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<sup>1</sup> While Ackerman submitted an answer to the complaint and a "supplement" following the report and recommendation, these submissions regurgitate his previous filing and do not support provide any specific objections to the report and recommendation nor do they provide any basis for this court's jurisdiction.

Judge Cynthia Reed Eddy (ECF No. 5) is hereby adopted as the opinion of the district court.

BY THE COURT:

s/Nora Barry Fischer  
United States District Judge

cc: WILLIAM JAMES ACKERMAN  
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